

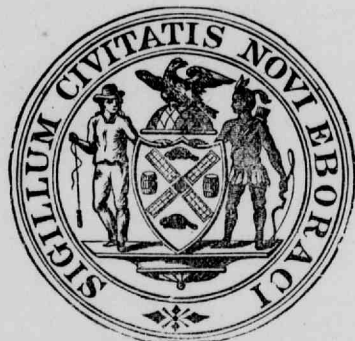
THE CITY RECORD.

OFFICIAL JOURNAL.

VOL. VII.

NEW YORK, THURSDAY, JANUARY 2, 1879.

NUMBER 1,692.



LEGISLATIVE DEPARTMENT.

BOARD OF ALDERMEN.

STATED SESSION.

TUESDAY, December 31, 1878,
2 o'clock P. M.

The Board met in their chamber, No. 16 City Hall.

PRESENT:

ALDERMEN

William Bennett,
Bernard Biglin,
Thomas Carroll,
Ferdinand Ehrhart,
William H. Gedney,
John W. Guntzer,

John W. Jacobus,
Patrick Keenan,
Terence Kiernan,
Samuel A. Lewis,
John J. Morris,
Henry C. Perley,

Lewis J. Phillips,
Joseph C. Pinckney,
Bryan Reilly,
William Sauer,
Thomas Sheils,
James J. Slevin.

The President being absent, on motion of Alderman Lewis, Alderman Slevin was appointed President pro tem.

The minutes of the meetings of December 27 and 28 were read and approved.

UNFINISHED BUSINESS.

Alderman Sauer, as provided in section 13 of chapter 335, Laws of 1873, called up a veto message of his Honor the Mayor of preamble and resolution, as follows:

Whereas, The Harlem Bridge, Morrisania and Fordham Railway Company, by resolution of their Board of Directors, and by consent of one-half in value of property owners on the line of the extension, as required by law, have taken proceedings for the extension of the tracks of their road from the present southerly terminus thereof to, along, and upon the Harlem Bridge and Third avenue to One Hundred and Twenty-ninth street; and

Whereas, The completion of the Elevated Railroad on Third avenue to that point makes it desirable that the application of the first named road for authority to extend its road should be granted, and that the facilities to be offered for rapid transit over the Elevated Road should be enjoyed by the people of the Twenty-third and Twenty-fourth Wards; therefore be it

Resolved, That permission be and the same is hereby granted to the Harlem Bridge, Morrisania and Fordham Railway Company to extend its tracks to, upon, and across the Harlem Bridge, and on and along the Third avenue to a point at or near One Hundred and Twenty-ninth street, and to operate said road so extended, and to run cars thereon, with such switches, turnouts, and tables as may be necessary, provided that said company shall run cars from said terminus until 1 A. M., and shall not charge any increased fares, by reason of such extension, provided that the said bridge be put into good repair after the laying of said tracks at the expense of said company, and that the said company keep said bridge in good repair between the tracks; and that this permission shall continue only during the pleasure of the Common Council.

The Board then proceeded to reconsider the same in the manner prescribed by law, and a vote being taken thereon, was adopted, notwithstanding the objections of his Honor the Mayor, as follows:

Affirmative—Aldermen Bennett, Biglin, Carroll, Ehrhart, Gedney, Guntzer, Jacobus, Keenan, Lewis, Morris, Perley, Phillips, Pinckney, Reilly, Sauer, Sheils, and Slevin—17.

In connection with his motion, Alderman Sauer presented a petition signed by over 4,000 persons of whom 2,000 were ladies, residents of the Twenty-third and Twenty-fourth Wards, asking the adoption of the preamble and resolution.

Which was ordered on file.

Alderman Pinckney, as provided in section 13 of chapter 335, Laws of 1873, called up a veto message of his Honor the Mayor of resolution, as follows:

Resolved, That the Commissioner of Public Works be and he is hereby directed to notify the New York Elevated Railroad Company to remove the stairways in course of construction for the stations of their road on Houston street, corner of the Bowery, from their present location and construct them in the Bowery, also at Ninth street and Third avenue, remove the stairways on both corners from their present location and construct them on Third avenue, as the same in their present position leaves a space from the stoop line less than two feet wide for the use of pedestrians.

The Board then proceeded to reconsider the same in the manner prescribed by law, and a vote being taken thereon, was adopted, notwithstanding the objections of his Honor the Mayor, as follows:

Affirmative—Aldermen Bennett, Biglin, Carroll, Ehrhart, Gedney, Guntzer, Keenan, Kiernan, Morris, Phillips, Pinckney, Reilly, Sauer, Sheils, and Slevin—15.

Negative—Aldermen Jacobus, Lewis, and Perley—3.

MESSAGES FROM HIS HONOR THE MAYOR.

The President pro tem. laid before the Board the following message from his Honor the Mayor:

EXECUTIVE DEPARTMENT—CITY HALL,
NEW YORK, December 31, 1878.

To the Honorable the Common Council:

GENTLEMEN—I herewith return, without my approval, the resolution directing the Commissioners of the Sinking Fund to employ counsel other than the Counsel to the Corporation, who shall apply to the courts for an injunction to stop the New York Elevated Railroad Company from their present occupation of any part of the Battery Park, and from any further infringement upon the property of the city.

I am of opinion that the action proposed by the resolution will be productive of no benefit to the city, and am therefore constrained to withhold my approval of the resolution.

SMITH ELY, JR., Mayor.

Whereas, The Commissioners of the Department of Public Parks have exceeded their powers in granting the New York Elevated Railroad Company the right to mutilate, occupy, and destroy a part of the Battery Park; and

Whereas, Their excuse is, that the Counsel to the Corporation gave them an opinion that they had the right to grant the privilege; and

Whereas, The Charters of 1870 and 1873 give them no power, except the care and maintenance of the public parks; and

Whereas, The Charter of 1873 directs the Commissioners of the Sinking Fund to sell and lease all public property not wanted by the city, and all moneys for rents or sale of such property to be paid into the City Treasury; therefore be it

Resolved, That the Commissioners of the Sinking Fund be and they are hereby directed to employ counsel other than the Counsel to the Corporation, who shall immediately apply to any of the courts of competent jurisdiction for an injunction to stop said railroad company from their present occupation of any part of the Battery Park, and from any further infringement upon the property of the city.

Which was ordered on file.

MOTIONS AND RESOLUTIONS.

By Alderman Sauer—

Resolved, That the name of Henry D. Metz, recently appointed a Commissioner of Deeds, be corrected so as to read Henry F. Metz.

The President pro tem. put the question whether the Board would agree with said motion.

Which was decided in the affirmative.

Alderman Morris moved that when the Board adjourns, it do adjourn to meet again on Monday next, the 6th proximo, at 11.30 A. M.

Alderman Reilly moved to amend by fixing the hour at 11 A. M.

Which was accepted by Alderman Morris.

The President pro tem. put the question whether the Board would agree with said motion.

Which was decided in the affirmative.

By Alderman Bennett—

Resolved, That permission be and the same is hereby given to A. Roeder to place sign and post in front of premises No. 57 West Houston street, the said sign to be 4 x 2; such permission to continue only during the pleasure of the Common Council.

Alderman Morris moved to amend by providing the sign shall not be less than 9 feet above the level of the sidewalk.

The President pro tem. put the question whether the Board would agree with said motion.

Which was decided in the affirmative.

The President pro tem. then put the question whether the Board would agree with said resolution as amended.

Which was decided in the affirmative.

By the same—

Resolved, That John McGinn be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of John E. Hartley, who has failed to qualify.

The President pro tem. put the question whether the Board would agree with said resolution.

Which was decided in the affirmative, on a division, viz.:

Affirmative—Aldermen Bennett, Biglin, Carroll, Ehrhart, Gedney, Guntzer, Keenan, Kiernan, Lewis, Morris, Perley, Phillips, Pinckney, Reilly, Sauer, Sheils, and Slevin—17.

By Alderman Reilly—

Whereas, It appears that the contractors for working the "Riverside Drive" have, in the most heartless manner, defrauded many of the workmen in their employ of the wages due them, and the poor men are now in the most abject want, themselves and their families being absolutely in need of the common necessities of life; and

Whereas, It also appears that there is still due the said contractors by the city certain moneys that might be made available to relieve the distress and misery these poor people are now suffering; be it therefore

Resolved, That the Department of Public Parks be and is hereby requested to pay the workmen each a pro rata share of the moneys so due to said contractors by the city, in order to relieve, temporarily at least, the sufferings of the workmen and their families.

The President pro tem. put the question whether the Board would agree with said preamble and resolution.

Which was decided in the affirmative.

By Alderman Sheils—

Whereas, Doubt exists in the minds of several of the members of this Board as to the legality of a resolution passed December 28th inst., granting permission to R. P. Childs and others to lay subterranean telegraph wires—the ayes and naes not being called for; therefore be it

Resolved, That his Honor the Mayor be requested to return said resolution to this Board.

The President pro tem. put the question whether the Board would agree with said preamble and resolution.

Which was decided in the negative, on a division called by Alderman Sheils, viz.:

Affirmative—Aldermen Bennett, Kiernan, and Sheils—3.

Negative—Aldermen Biglin, Carroll, Ehrhart, Gedney, Guntzer, Jacobus, Keenan, Morris, Perley, Phillips, Pinckney, Reilly, Sauer, and Slevin—14.

By Alderman Perley—

Resolved, That the name of Charles Taylor, recently appointed a Commissioner of Deeds, be corrected so as to read Charles J. Taylor.

The President pro tem. put the question whether the Board would agree with said resolution.

Which was decided in the affirmative.

By Alderman Bennett—

Resolved, That Charles Koch, Jr., be and he is hereby appointed a Commissioner of Deeds in and for the City and County of New York, in place of Bernard J. Reilly, who has failed to qualify.

Which was withdrawn.

(G. O. 395.)

By Alderman Reilly—

Whereas, The great necessity of employment, and the deplorable condition of the working people, appeals alike to the private citizen as well as to the public official, to the effect that where idleness exists suffering necessarily follows; therefore be it

Resolved, In view of the above facts, the condition of the masses, the necessity of improving the streets and parks, and of making other necessary improvements in the city, that the Legislature of this State be respectfully requested to pass the necessary law to authorize the appropriation of one million dollars, to be used for the above purpose, and said sum to be expended under the direction of the Board of Apportionment.

The President pro tem. put the question whether the Board would agree with said preamble and resolution.

Which was decided in the negative, on a division called by Alderman Reilly, viz.:

Affirmative—Aldermen Bennett, Biglin, Carroll, Guntzer, Keenan, Kiernan, Reilly, Sauer, Sheils, and Slevin—10.

Negative—Aldermen Ehrhart, Gedney, Jacobus, Morris, Perley, Phillips, and Pinckney—7.

On motion of Alderman Reilly, the above vote was reconsidered, and the paper was laid over.

Alderman Morris moved that the Board do now adjourn.

The President pro tem. put the question whether the Board would agree with said motion.

Which was decided in the negative, on a division called by Alderman Reilly, viz.:

Affirmative—Aldermen Biglin, Ehrhart, Gedney, Jacobus, Morris, Perley, and Pinckney—7.

Negative—Aldermen Bennett, Carroll, Guntzer, Keenan, Kiernan, Phillips, Reilly, Sauer, Sheils, and Slevin—10.

UNFINISHED BUSINESS RESUMED.

Alderman Reilly called up G. O. 374, being a preamble and resolutions offered by Alderman Morris, as follows:

Whereas, The seaboard cities of our sister States and in the British provinces have given and offered transportation companies, both land and water, every inducement to bring the great products of this country, and the manufactures of home and foreign countries, to these cities; and

Whereas, The canals of this State are one of the chief feeders of the commerce of this city, particularly the golden harvests of the West and South; therefore be it

Resolved, That this Board of Aldermen, representing this city, and in behalf of its citizens, do recommend to the Senators and Assemblymen elected from this city to use all honorable means to induce the other members of their respective legislative bodies to enact and pass a bill making the canals of this State free of toll; and be it further

Resolved, That the Clerk of this Board of Aldermen be directed to transmit a copy of the foregoing preamble and resolutions to the President of the Senate and the Speaker of the Assembly.

Which was again laid over.

MOTIONS AND RESOLUTIONS RESUMED.

Alderman Pinckney moved that all the papers on the list of General Orders be taken therefrom and placed on file.

The President pro tem. put the question whether the Board would agree with said motion.

Which was decided in the affirmative.

Alderman Morris moved that the Board do now adjourn.

The President pro tem. put the question whether the Board would agree with said motion.

Which was decided in the affirmative.

And the President pro tem. announced that the Board stood adjourned until January 6, 1879, at 11 o'clock A. M.

FRANCIS J. TWOMEY, Clerk.

BOARD OF ESTIMATE AND APPORTIONMENT.

BOARD OF ESTIMATE AND APPORTIONMENT—CITY OF NEW YORK,
MAYOR'S OFFICE, CITY HALL,
MONDAY, December 23, 1878—12 o'clock, M.

The Board met in pursuance of an adjournment.

Present—The following members, viz.:

Smith Ely, Jr., the Mayor of the City of New York; John Kelly, the Comptroller of the City of New York; John Wheeler, the President of the Department of Taxes and Assessments.

Absent—William R. Roberts, the President of the Board of Aldermen.

The minutes of the meeting held December 20, 1878, were read and approved.

Messrs. Matthew Kane, Edward Gilon, Geo. B. Deane, Jr., Alderman Jacobus, and others, appeared before the Board in behalf of the citizens of the Ninth and Fifteenth Wards and asked for an appropriation of \$30,000 for laying out and fitting up the Fort Gansevoort property as a stand for Market-Gardeners' Wagons, etc., and presented the following petition:

To the Honorable Board of Estimate and Apportionment:

GENTLEMEN—At a meeting of citizens of the Ninth, Fifteenth, and Sixteenth Wards, held at Bleeker Buildings on the 2d day of July, 1878, the undersigned were appointed a committee to urge upon the authorities of our city the desirability of designating the property bounded by Gansevoort, Little West Twelfth, Washington, and West streets, being a portion of what is known as the Fort Gansevoort property, and owned by the city, as a depot for market wagons, for the sale of garden produce. Some of the reasons which seemed to call for some such expression on the part of our citizens, and which led to the appointment of your committee are in brief as follows:

That while the fees paid by the market gardeners are a source of large revenue to the city they are not afforded sufficient accommodation or protection.

That allowing them to stand in the narrow and over-crowded streets in the lower part of the city is a great evil, and the cause of great inconvenience and loss to merchants and others renting stores and doing business in that portion of the city.

That this location is a central, desirable, and convenient one.

That this property is now lying idle and vacant, and if set apart for this purpose and enlarged facilities are offered these gardeners it will result in a much larger income being derived from them than at present. And that while extensive and costly public improvements have been made in other parts of the city toward the expense of which we have contributed our share, our portion of the city, in this respect at least, seems to have been entirely forgotten and neglected.

Actuated by these considerations, we prepared and submitted to the Board of Aldermen a resolution embodying our views, which resolution was passed by that body, and was approved by the Mayor on the 8th day of August last. This resolution provides that this property "be and is hereby designated as a stand for farmers' wagons for the sale of garden produce, subject to the same ordinances, rules, and regulations as apply to other public places now used for like purposes, and the Comptroller is hereby authorized and directed to carry into effect the provisions of this resolution."

By the terms of this resolution the power of making the improvements necessary to place this property in a proper condition for the transaction of the business for which it has been set apart, is given to the Comptroller, who has informed your committee that he has no funds with which to pay for such improvements. We now appeal to your Honorable Board to make a moderate and reasonable appropriation for this purpose; without such an appropriation the action heretofore had by the aldermen and the mayor will be entirely useless, and the objects sought to be attained by that action as far as ever from accomplishment. In order to assist your Honorable Board in arriving at a better knowledge of what is required to be done to put this property in proper shape, we have concluded to present to you in a rough and crude form our ideas as to the manner in which this property should be improved. We hope that in taking this course we will not be regarded as having overstepped the bounds of propriety, and that our action will not be deemed impertinent or officious.

The improvement of this property will benefit not only its immediate locality, but will undoubtedly inure to the advantage of the entire city. We therefore respectfully beg to submit to your favorable consideration the following suggestions:

The sheds and fences which now encumber this property, and which are a disgrace to the city and an eyesore and a nuisance to the neighborhood, should be at once removed.

The ground should be graded, sewered, laid out into rows or avenues, and paved.

On the spaces between the avenues raised platforms or walks for the accommodation of foot passengers should be built.

Over these platforms, and projecting far enough out so as to cover the area on which the market wagons will stand, suitable sheds or awnings should be erected.

We have endeavored in these suggestions merely to give an outline of what work we think is required, and have not entered at all into detail. With your consent, we will be pleased to submit a plan which will more fully embody our ideas. The principal object to be accomplished at present is to secure an appropriation for the work. We have made a rough calculation, and believe an expenditure of thirty thousand dollars is all that is required, which amount we respectfully and earnestly urge be appropriated for this purpose.

Dated New York, December 21, 1878.

Matthew Kane, 345 W. 4th st.
Patrick Malone, 91 and 93 Ninth ave.
George B. Lawton, 77 Jane st.
James C. Hoe, 325 W. 14th st.
Bradish Johnson, 428 W. 16th st.,
per Edward A. Roome.

Edward Gilon, 557 Hudson st.
John J. Gorman, W. 14th st.
Sidney P. Nichols, 407 W. 23d st.
J. W. Jacobus, 16 Morton st.
Geo. B. Deane, 277 W. 11th st.
George B. Deane, Jr., 67 Bank st.

Which was ordered to be printed in the minutes.

Alderman Sauer made a statement in reference to the appointment of Janitors for Civil and Police Courts, and presented the following communication:

Janitors were authorized by the following resolution:

"Resolved, That the Justices assigned to each of the Police Courts of this city, and the Justices of the several (District Civil) Courts be and they are hereby authorized and empowered to appoint a janitor for each of said Police and Civil Courts, at an annual salary of fifteen hundred dollars each, payable monthly."

Adopted by the Board of Aldermen, March 14, 1870.

Adopted by the Board of Assistant Aldermen, March 14, 1870.

Approved by the Mayor, March 15, 1870.

(Proceedings Common Council, 1870, p. 103.)

Michael Sullivan brought an action to recover salary from January 1, 1872, as Janitor of the Sixth District (Civil) Court.

This case went to the Court of Appeals, and it was decided that "the position of Janitor of a District Court is not an office; the janitor is simply an employee, and the Common Council are not prohibited from authorizing said court to appoint an attendant. The authorization to appoint to that labor is not the creation of a new office."

By section 65, chapter 334, Laws of 1857, it is enacted that the Corporation of the City of New York shall furnish at the expense of the city all necessary attendance, etc., for the District Courts, and that chapter 329, Laws 1853, shall apply, which authorizes the courts to appoint necessary attendants.

In James McCullough vs. The Mayor, Supreme Court, General Term, January, 1876, it was decided that a janitor was in no sense a public officer, but a mere servant or employee, and the provision of the Charter, chapter 335, Laws of 1873, section 97, that salaries shall be fixed by the Board of Apportionment, does not apply, and that the compensation was subject to change at any time by the Common Council. That the Common Council could abolish the place, or confer its duties upon any other servant or employee.

The following resolution was adopted by the Common Council:

Resolved, That the resolution approved March 15, 1870, authorizing the Justices of the several police and civil courts to appoint janitors be and is hereby annulled, rescinded, and repealed.

Adopted by the Board of Aldermen, December 21, 1876.

Approved by the Mayor, December 28, 1876, by which the authority for the appointment of janitors was taken away from the justices of the civil courts.

By section 12, chapter 538, Laws of 1873, the majority of the members attending any meeting of the Board of Police Justices may appoint "other necessary attendants, and may remove the same." But such expense, by section 4 of the same act, may be limited by the proper authorities of the city.

In Patrick Bergen vs. The Mayor, Supreme Court, General Term, May, 1875, it was decided that janitors were clearly included within the power to appoint "necessary attendants," and that an appointee of the Commissioner of Public Works was permitted to recover the salary from the city cannot affect the plaintiff's right to compensation.

The Commissioner of Public Works, by section 71 of the charter of 1873, sub-section 5, is charged with the care of public buildings, and under this authority claims to appoint janitors for the different buildings occupied by the courts.

By resolution approved by the Mayor, April 30, 1864, the Street Commissioner is authorized to appoint a Janitor of the Fourth District Police Court, at an annual salary of \$1,000.

(Pro. Common Council 1864, vol. 32, p. 109.)

This salary was increased to \$1,500 by resolution of the Common Council.

(Pro. Common Council 1868, vol. 36, p. 288.)

The Commissioner of Public Works succeeded to the powers of the Street Commissioner by the charters of 1870 and 1873.

The salary of Janitors of District Courts was fixed at \$1,200 per annum by the Board of Estimate and Apportionment December 18, 1873.

(Proceedings 1873-74, p. 234.)

(See also proceedings Board of Estimate and Apportionment, CITY RECORD, March 6, 1877, p. 341. And as to salaries, CITY RECORD, January 31, 1877, p. 155.)

In the appropriations for 1877, the Board of Estimate and Apportionment did not allow for salaries for the Police or District Court Janitors, but included in the appropriation to the Department of Public Works, for "Supplies for and Cleaning Public Offices, etc.," sufficient to pay Janitors of City Courts—police and civil—and thirteen Janitors were appointed, at \$1,200 per annum, by the Commissioner of Public Works:

- 10 Civil Courts.
- 3 Police Courts.

(CITY RECORD, January 31, 1877, p. 143.)

Under advice of the Corporation Counsel, the Board of Estimate and Apportionment Resolved, That no Janitor nor attendant shall be appointed by Police Justices.

(CITY RECORD, March 6, 1877, p. 341.)

The following resolution has been adopted:

"Resolved, That the resolution approved by the Mayor December 28, 1876, rescinding resolution approved March 15, 1870, authorizing the justices of the several police and civil courts to appoint janitors, be and the same is hereby annulled, rescinded, and repealed, and that the justices assigned to each of the police courts of this city, and the justices of the several district civil courts be and they are hereby authorized and empowered to appoint a janitor for each of said police and civil courts, at an annual salary as now fixed by law."

Adopted by the Board of Aldermen September 23, 1878.

Received from his Honor the Mayor, October 8, 1878, with his objections thereto.

In Board of Aldermen, October 22, 1878, taken up and considered, as provided in section 13, chapter 335, Laws of 1873, and adopted, notwithstanding the objections of his Honor the Mayor, three-fourths of all the members elected voting in favor thereof.

It would seem that the justices of the civil district courts are empowered to appoint a janitor in each court under the above resolution, and that the salary established by resolution of the Common Council is \$1,500 per annum.

(See Dunphy vs. The Mayor, Hunn, Supreme Court.)

Should the judges appoint janitors under this resolution the appointees would probably have a good cause of action against the city, even if no appropriation is made.

The Board of Estimate and Apportionment, however, can limit the amount of the appropriation which is made for "Supplies for and Cleaning Public Offices," of the Department of Public Works, so far as any allowance is made therein for the pay of janitors.

Which was ordered to be printed in the minutes.

Justice Campbell appeared and made a statement in reference to the same subject.

The Comptroller presented the following opinion:

LAW DEPARTMENT,
OFFICE OF THE COUNSEL TO THE CORPORATION,
NEW YORK, December 20, 1878.

To the Board of Estimate and Apportionment:

GENTLEMEN—I have the honor to acknowledge the receipt of a copy of a communication addressed to your Board by Messrs. Reavey & Fowler, requesting an appropriation of \$3,000 in their favor (by your Board) for their services as counsel for Judge Pinckney in the proceedings now proceeding.

They state that they are informed that I have applied for an appropriation of \$3,000 for my services, and that their labors are greater than mine, etc., and that they should have an equal amount.

Their letter has evidently been written under a mistake. I have applied for no money for counsel—myself nor any one else.

The application was for a sum to pay the referee's fees, stenographer's fees, witness fees, and for printing. These are necessary expenses.

I know of no authority justifying your Board in making the appropriation suggested.

I have the honor to be, very respectfully,

WM. C. WHITNEY, Counsel to Corporation.

Which was ordered to be printed in the minutes.

The Secretary presented the following communication:

STATE OF NEW YORK,
OFFICE OF THE STATE BOARD OF CHARITIES,
120 EAST THIRTIETH STREET, Dec. 19, 1878.

Hon. JOHN WHEELER, Secretary, etc.:

DEAR SIR—It appears by inclosed that I was mistaken in reference to the law providing for the appropriation for adult blind. It is mandatory, so far as the Board of Apportionment is concerned, although not as regards the Board of Commissioners.

I am extremely sorry to have made the mistake. Will you be so kind as to say so to the Mayor for me.

Respectfully, yours,

J. S. LOWELL, Commissioner, etc.

Which was ordered to be printed in the minutes.

The Chairman presented a communication from Mrs. Annie B. Browning, in behalf of the "New York Bible and Fruit Mission," asking for an appropriation from the Excise Fund.

Which was referred to, and the original paper sent to the Comptroller.

On motion, the Board adjourned to meet on Thursday, December 26, 1878, at 11 o'clock A. M.

JOHN WHEELER, Secretary.

BOARD OF ESTIMATE AND APPORTIONMENT—CITY OF NEW YORK,
MAYOR'S OFFICE, CITY HALL,
THURSDAY, December 26, 1878—11 o'clock, A. M.

The Board met in pursuance of an adjournment.

Present—All the members, viz.:

Smith Ely, Jr., the Mayor of the City of New York; John Kelly, the Comptroller of the City of New York; William R. Roberts, President of the Board of Aldermen; John Wheeler, the President of the Department of Taxes and Assessments.

The minutes of the meeting held December 23, 1878, were read and approved.

The Comptroller offered for adoption the following resolution:

FINANCE DEPARTMENT—COMPTROLLER'S OFFICE,
December 24, 1878.

To the Board of Estimate and Apportionment:

I have the honor to submit herewith a resolution providing for the distribution of the sum of \$111,571 from the excise moneys, available for this object, among the charitable societies and institutions in this city, which "gratuitously aid, support, and assist the poor," and which are entitled to receive the same under the provisions of chapter 221 of the Laws of 1875. A list of the societies and institutions is annexed, with the amounts appropriated to each, according to the data of their operations during the past year, as furnished by them, and the information in possession of this Department in regard to their respective claims as almoners of the public moneys among the poor of this city.

Respectfully,

JOHN KELLY, Comptroller.

Resolved, That in pursuance of the provisions of chapter 221 of the Laws of 1875, the Board of Estimate and Apportionment hereby appropriates from the excise moneys to the charitable and benevolent institutions in the City of New York, which "gratuitously aid, support, and assist the poor," the sums stated in the following schedule, and amounting in the aggregate to the sum of one hundred and eleven thousand five hundred and seventy-one dollars, as a per capita allowance for the number of poor and destitute persons actually treated, cared for, or educated in and by these institutions, respectively; these appropriations are made with the distinct provision that no part of these moneys is to be used or applied by any of said institutions as a permanent fund, or for the purpose of erecting or furnishing any building, or for the payment of the salary of any employee, but the whole amount allowed to each institution is to be used and applied to the purpose above stated, as provided by law, viz., to "gratuitously aid, support, and assist the poor."

CHARITABLE SOCIETIES AND MISSIONS.

No.	NAME.	Number of Poor Assisted in One Year.	Per Capita Allowance.	Amount allowed.
1	New York Ladies' Home Missionary Society of the Methodist Episcopal Church (the Five Points Mission).....	3,000	\$0 40	\$1,200 00
2	The Howard Mission and Home for Little Wanderers.....	4,600	25	1,150 00
3	Ladies' Union Relief Association for Care of Disabled Soldiers and their Families.....	1,000	1 50	1,500 00
4	German Ladies' Society for Support of Widows and Orphans.....	5,900	20	1,180 00
5	The New York Diet Kitchen Association.....	7,000	15	1,050 00
6	New York Female Assistance Society for the Relief of the Sick Poor.....	1,000	75	750 00
7	United Hebrew Charities of the City of New York.....	31,250	08	2,500 00
8	West Side Relief Association and Sea-side Sanitarium.....	15,000	06	900 00
9	German Society of the City of New York.....	16,000	10	1,600 00
10	New York Colored Mission.....	1,000	25	250 00
11	French Benevolent Society.....	1,400	25	350 00
12	Belgian Benevolent Society.....	1,000	25	250 00
13	Swiss Benevolent Society.....	1,000	25	250 00
14	West Farms Ladies' Benevolent and Employment Society.....	200	75	150 00
15	The Prison Association.....	274	3 00	822 00
16	Twenty-fourth Ward Relief Association.....	134	1 00	134 00
17	St. Ignatius Guild.....	200	1 00	200 00
18	Olivet Mutual Sewing Relief.....	1,200	25	300 00
19	Society of St. Vincent de Paul of the City of New York.....	25,000	20	5,000 00
20	Wilson Industrial School for Girls.....	700	40	280 00
21	Harlem Missionary Association.....	300	1 00	300 00
22	New York Training School for Nurses.....	2,000	25	500 00
23	Association for Befriending Children (House of the Holy Family).....	2,000	50	1,000 00
24	New York Adult Blind Aid Association.....	30	5 00	150 00
25	New York Employment and Relief Association.....	700	40	280 00
26	The Gilbert Library and Prisoners' Aid Society.....	400	1 00	400 00
27	Eighth Ward Mission.....	1,600	25	400 00
28	Twelfth Ward West Side Relief Association.....	2,000	50	1,000 00
29	St. John's Guild and Floating Hospital of St. John's Guild.....	24,000	10	2,400 00
30	New York Association for Improving the Condition of the Poor.....	24,000	10	2,400 00

HOMES AND ASYLUMS.

No.	NAME.	Number Supported gratuitously in One Year.	Per Capita Allowance.	Amount Allowed.
1	The Church Mission to Deaf Mutes.....	8	\$20 00	\$160 00
2	House of the Good Shepherd.....	364	5 00	1,820 00
3	New York Christian Home for Intemperate Men (partially supported).....	125	15 00	1,875 00
4	Home for the Aged of the Little Sisters of the Poor.....	163	15 00	2,445 00
5	St. Joseph's Home for the Aged.....	240	15 00	3,600 00
6	The Sheltering Arms.....	111	15 00	1,665 00
7	Association for Befriending Children (House of the Holy Family).....	100	15 00	1,500 00
8	Home for Aged and Infirm Hebrews.....	75	10 00	750 00
9	St. Vincent's Home for Boys.....	100	10 00	1,000 00
10	Chapin Home for Aged and Infirm.....	100	15 00	1,500 00
11	Samarian Home for the Aged.....	37	20 00	740 00
12	St. James' Home for Boys.....	150	5 00	750 00
13	House of Rest for Consumptives.....	50	10 00	500 00
14	The Midnight Mission.....	42	10 00	420 00
15	Institution of Mercy.....	200	10 00	2,000 00
16	St. Stephen's Home for Children.....	150	10 00	1,500 00
17	New York Asylum for Lying-in Women.....	100	10 00	1,000 00
18	Society for the Relief of Destitute Children of Seamen.....	116	6 00	696 00
19	Five Points House of Industry (partially supported).....	400	3 00	1,200 00
20	St. Vincent's Industrial Home for Girls.....	100	10 00	1,000 00
21	New York Protestant Episcopal City Mission Society (St. Barnabas' House).....	100	10 00	1,000 00
22	Ladies' Protective Union and Directory (Martha's Rest).....	22	10 00	220 00
23	Home for Incurables.....	60	20 00	1,200 00
24	Home for Old Men and Aged Couples.....	25	15 00	375 00
25	St. Joseph's Industrial Home for Destitute Children.....	135	10 00	1,350 00
26	Peabody Home for Aged Women.....	15	20 00	300 00
27	Methodist Episcopal Church Home.....	99	20 00	1,980 00
28	Female Christian Home (partially supported).....	30	5 00	150 00
29	Young Women's Aid Association.....	36	15 00	540 00
30	St. Luke's Home for Indigent Christian Females.....	65	15 00	975 00
31	Society for the Relief of the Destitute Blind (Home for the Blind).....	38	20 00	760 00
32	The Free Home for Training Young Girls.....	40	10 00	400 00
33	Women's Prison Association and Home.....	50	15 00	750 00
34	Ladies' Home Society of the Baptist Churches.....	90	7 00	630 00
35	Asylum of the Sisters of St. Dominic.....	180	10 00	1,800 00
36	St. Joseph's Orphan Asylum (German).....	168	6 00	1,008 00
37	Orphan's Home and Asylum of the Protestant Episcopal Church.....	200	6 00	1,200 00
38	Society for the Relief of Half Orphan and Destitute Children.....	247	5 00	1,235 00
39	Asylum of St. Vincent de Paul.....	800	5 00	4,000 00
40	Association for the Benefit of Colored Orphans.....	200	4 00	800 00
41	Roman Catholic Orphan Asylums.....	1,250	4 00	5,000 00
42	House of Our Lady of the Rosary.....	200	5 00	1,000 00
43	Old Gentlemen's Unsectarian Home.....	25	20 00	500 00
44	Zion Aged Relief Association.....	17	15 00	255 00
45	The Colored Home.....	200	5 00	1,000 00

HOSPITALS, DISPENSARIES, AND INFIRMARIES.

No.	NAME.	Number of Patients Supported and Treated gratuitously in one year.	Per Capita Allowance.	Number of Out-door Patients Treated gratuitously in one year.	Per Capita Allowance.	Amount Allowed.
1	The Woman's Hospital (\$1,000 of this amount to be paid to the Ladies' Society of the Hospital).....	70	\$20 00	2,400	\$0 25	\$2,000 00
2	St. Francis' Hospital.....	300	10 00	.....	.....	3,000 00
3	St. Vincent's Hospital.....	125	20 00	.....	.....	2,500 00
4	Metropolitan Throat Hospital.....	20	20 00	7,000	5	750 00
5	St. Elizabeth's Hospital and Dispensary.....	10	20 00	5,000	10	700 00
6	Mount Sinai Hospital and Dispensary.....	121	7 00	23,000	5	2,000 00
7	St. Luke's Hospital.....	100	20 00	.....	.....	2,000 00
8	St. Mary's Free Hospital for Children.....	50	15 00	.....	.....	750 00
9	German Hospital and Dispensary.....	100	10 00	20,000	5	2,000 00
10	New York Medical College and Hospital for Women.....	20	10 00	4,000	5	400 00
11	Manhattan Eye and Ear Hospital.....	.....	.....	5,000	10	500 00
12	New York Ophthalmic and Aural Institute.....	13	10 00	8,700	10	1,000 00
13	New York Orthopaedic Dispensary and Hospital.....	.....	.....	8,000	20	1,600 00
14	New York Dispensary.....	.....	.....	41,000	2	820 00
15	Demilt Dispensary.....	.....	.....	26,800	3	804 00
16	Eastern Dispensary.....	.....	.....	26,000	3	780 00
17	Northeastern Dispensary.....	.....	.....	23,000	3	690 00
18	Northwestern Dispensary.....	.....	.....	28,800	3	864 00
19	Central Dispensary.....	.....	.....	16,000	5	800 00
20	Northern Dispensary.....	.....	.....	20,000	4	800 00
21	Western Homoeopathic Dispensary.....	.....	.....	10,500	4	420 00
22	Tompkins Square Homoeopathic Dispensary.....	.....	.....	15,000	5	750 00
23	New York Free Dispensary for Sick Children.....	.....	.....	3,900	10	390 00
24	Harlem Dispensary.....	.....	.....	20,000	5	1,000 00
25	West Side German Dispensary.....	.....	.....	5,000	8	400 00
26	Northeastern Homoeopathic Dispensary.....	.....	.....	8,000	5	400 00
27	Yorkville Homoeopathic Dispensary.....	.....	.....	3,250	10	325 00
28	New York Homoeopathic Medical College Dispensary.....	.....	.....	9,000	5	450 00
29	Eclectic Medical Dispensary.....	.....	.....	5,400	7	378 00
30	Dispensary of Medical and Surgical Relief, Twenty-third and Twenty-fourth Wards.....	.....	.....	3,000	5	150 00
31	New York Ear Dispensary.....	.....	.....	1,000	25	250 00
32	West Side Infirmary for Diseases of Eye and Throat.....	.....	.....	5,000	10	500 00
33	New York Eye and Ear Infirmary.....	12	20	15,600	10	1,560 00
34	New York Infirmary for Women and Children.....	16	10	6,500	10	650 00

Total.....\$115,571 00

The Chairman put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—The Mayor of the City of New York (Chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments—4.

The Comptroller presented the following communications:

LAW DEPARTMENT,
OFFICE OF THE COUNSEL TO THE CORPORATION,
NEW YORK, December 19, 1878.

Hon. JOHN KELLY, Comptroller:

SIR—I duly received your letter of the fifteenth of November last, requesting my opinion whether the Board of Estimate and Apportionment has the power to make an additional appropriation to cover the expenses of the Board of Excise for the year from May 1, 1877, to May 1, 1878.

Under chapter 642, of the Laws of 1874, referred to in your letter, the salaries of the Commissioners of Excise, not exceeding five thousand dollars, and the necessary expenses of the Board, are to be annually fixed by the Board of Estimate and Apportionment, and paid out of the moneys received for licenses. Pursuant to this law, the Board of Estimate and Apportionment, on June 1, 1877, fixed such salaries and expenses for the year from May 1, 1877, to May 1, 1878. On October 4, 1878, the Commissioners of Excise applied to the Board of Estimate and Apportionment for an additional appropriation of four hundred and ninety dollars and seventy-three cents (\$490.73), for the purpose of paying bills incurred during said year 1878, in excess of said appropriation.

I suppose that the doubt as to the power of the Board of Estimate and Apportionment to make such additional appropriation has arisen on account of the above provision that such salaries and expenses shall be annually fixed, and because it may have been suggested that such salaries and expenses must be fixed at some particular time during each year, and because it may have been supposed that when the Board of Estimate and Apportionment had once fixed the sum, its power was exhausted.

I do not think it necessarily follows, from the language used in the statute above referred to, that such salaries and expenses must necessarily be fixed by the Board of Estimate and Apportionment at one particular time for each year. The word "annually" means year by year, and indicates that the amount fixed for one particular year is not to continue to be the amount beyond the year. In other words, that the total sum to be paid for salaries and expenses shall be revised every year.

Nor do I think that because the Board of Estimate and Apportionment has once fixed such salaries and expenses for a particular year, its power is exhausted. It has been held by the courts, in various cases, that where a public officer is authorized to do a particular act, and the power has once been exercised, jurisdiction over the matter is lost, and the power cannot be exercised again. The decisions on this point have, however, been conflicting; and the latest decisions of the Court of Appeals do not sustain the doctrine as heretofore laid down by some other Courts. For instance, it was formerly held that where a Board of Supervisors had once audited a claim, they could not re-examine it, although the decisions were not harmonious. The Court of Appeals has, however, recently decided that a Board of Supervisors can, for sufficient reasons, re-examine an account which has previously been audited by it. I think, therefore, that notwithstanding the Board of Estimate and Apportionment has fixed the amount of said salaries and expenses for a particular year, the power of the Board over the matter is not thereby exhausted, but that it can, in its discretion, make an additional appropriation for such salaries and expenses.

I am, sir, yours respectfully,

WM. C. WHITNEY, Counsel to the Corporation.

BOARD OF EXCISE—299 MULBERRY STREET,
NEW YORK, October 4, 1878.

To the Board of Estimate and Apportionment:

GENTLEMEN—We respectfully request a transfer for the purpose of paying the following bills incurred in the year 1877-8, viz.:

N. Y. Mutual Gas-light Co.....\$36 25
J. V. Donovan, Carpentering Work.....417 73
C. D. Shute, Carpentering Work.....10 75
J. Abels.....16 00
John M. Wenneis, 2 loads of wood.....10 00

Total.....\$490 73

Yours truly,

RICHARD J. MORRISON,
PHILIP MERKLE,
Commissioners of Excise.

And offered for adoption the following resolution:

Resolved, That in pursuance of the authority conferred upon the Board of Estimate and Apportionment by the provisions of chapter 642, Laws of 1874, the sum of four hundred and ninety dollars and seventy-three cents is hereby appropriated from the Excise Fund as an additional amount necessary to pay expenses incurred by the Board of Excise during the year ending May 1, 1878.

The Chairman put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—The Mayor of the City of New York (Chairman), the Comptroller of the City of New York, and the President of the Board of Aldermen—3.
Negative—The President of the Department of Taxes and Assessments—1.

The Comptroller presented a communication from the Board of Excise, referred to him at meeting of December 12, 1878, and offered for adoption the following resolution:

Resolved, That in pursuance of the authority conferred upon the Board of Estimate and Apportionment by the provisions of chapter 642, Laws of 1874, the sum of fifteen thousand dollars is hereby appropriated from the Excise Fund as an additional amount necessary to pay the salaries of employees, rent, and other expenses of the Board of Excise for the year ending May 1, 1879.

The Chairman put the question whether the Board would agree with said resolution.

Which was decided in the affirmative, by the following vote:

Affirmative—The Mayor of the City of New York (Chairman), the Comptroller of the City of New York, and the President of the Board of Aldermen—3.
Negative—The President of the Department of Taxes and Assessments—1.

On motion, the rule adopted at meeting of June 23, 1874, relating to calls of meetings, was suspended, in order to act upon the issue of "Assessment Bonds of the Corporation of the City of New York."

Whereupon the Comptroller offered for adoption the following resolution:

Resolved, That in pursuance of the authority conferred upon the Board of Estimate and Apportionment by the provisions of section 112 of chapter 335 of the Laws of 1873, the Comptroller be and he is hereby authorized to issue, from time to time, as may be required, and at such rates of interest, not exceeding six per cent per annum, and for such period, conformable to law, as he may determine, "Assessment Bonds of the Corporation of the City of New York," authorized by chapter 397, Laws of 1852, and chapter 580, Laws of 1872, to the amount of fifty thousand dollars.

The Chairman put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote, viz.:

Affirmative—The Mayor of the City of New York (Chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments—4.

On motion, the Board took a recess until 2 o'clock P. M.

The Board reassembled at 2.30 o'clock P. M.

The Comptroller presented the following communication:

LAW DEPARTMENT,
OFFICE OF THE COUNSEL TO THE CORPORATION,
NEW YORK, December 23, 1878.

To the Board of Estimate and Apportionment:

GENTLEMEN—I duly received a copy of the following resolution, adopted by you on the 11th instant:

"Resolved, That the Council to the Corporation be requested to furnish this Board, as soon as possible, with his opinion in reference to the salaries of the police force, under acts of the Legislature, and particularly as to the operation or effect of the provision contained in chapter 861 of the Laws of 1866, 'that whenever the currency of the United States shall attain a par value in gold, the foregoing salaries, as fixed by this act, shall be reduced twenty per cent.' "

Chapter 861 of the Laws of 1866, referred to in your letter, which established the salaries and compensation of the commissioners, officers, and employees of the Metropolitan police at the several sums therein named, contained the following:

"Provided, That whenever the currency of the United States shall attain a par value in gold, the foregoing salaries, as fixed by this act, shall be reduced twenty per cent., excepting that in no case shall the yearly pay of captains be less than eighteen hundred dollars, and that of sergeants less than fourteen hundred dollars."

The so called Charter of 1870 created the Police Department as a department of the city government, and excepted the city of New York from the various provisions of law establishing the Metropolitan Police. The Charter of 1873 repealed said Charter of 1870, but continued the Police Department as a regular department of the city government.

Section 43 of said Charter of 1873 contained the following provision:

"Every person connected with the Police Department of the City of New York at the time this act shall take effect, and except as otherwise herein provided, shall continue in office, and the

amount of salary or compensation now legally paid to such person, except as herein otherwise provided or authorized, shall be the salary and compensation fixed for his office under this act."

I think the intent of the Legislature, and the legal effect of this provision of said section 43, was to repeal the above-cited provision of the act of 1866, and permanently establish the salary or compensation of every person connected with the Police Department at the sum legally paid to every such person at the time of the passage of said Charter of 1873. I am of this opinion, notwithstanding that section 6 of chapter 755 of the Laws of 1873, passed subsequent to the charter of that year, applied the provisions of law which related to the Metropolitan Police to the present Police Department; because it was expressly declared in said section 6 that these provisions should apply only so far as they were not inconsistent with said Charter of 1873; and in my opinion, the provision in the Charter of 1873, that the salary or compensation of the persons connected with the Police Department shall be the same that was legally paid to such persons when that charter passed, is inconsistent with the provision in said act of 1866, that the salaries shall be reduced twenty per cent. when the currency shall attain par in gold.

In view of the fact that, in my opinion, said proviso of the Act of 1866 has been repealed, it is unnecessary for me to examine that statute in detail, for the purpose of determining what its effect would be if still in force. It may not be out of place, however, for me to say that if said provision in regard to the reduction of salaries were in force, it is extremely doubtful whether it would affect the compensation of patrolmen and doormen. The act makes a plain distinction between the salaries to be paid to the Commissioners and various clerks and employees of the Metropolitan Police, and the pay of patrolmen and doormen. And while it is declared that such salaries shall be reduced whenever the currency obtains a par value in gold, it does not declare that such pay shall also be reduced.

I am strongly inclined to the opinion, therefore, that even if the said proviso were in force, it would not affect the pay of patrolmen and doormen. In view, however, of the opinion above expressed, that the whole proviso has been repealed or superseded by the charter of 1873, it is not necessary for me to advise you positively on this point.

I observe that a contrary opinion has been expressed by several gentlemen, of such standing in the profession as entitles the opinion to the most serious consideration and great weight at the hands of the officers of the city government, and it might fairly be considered the duty of the city officials, before paying out the moneys appropriated for 1879 to the Police Department, to have the question judicially determined by a test case, which could be so expedited, by arrangement of the parties, as to have it passed upon so speedily as not to work great hardship to the members of the force. It would probably only be necessary to retain the twenty per cent. for a month or two, until it should be judicially determined.

If I were in doubt about the question submitted, I should hesitate to advise the Board of Apportionment to make the appropriations upon the basis of the reduction, until it were judicially settled; for if it should be determined that the present salaries continued, the difficulties which would arise from the lack of sufficient appropriation to meet the legal claims of the force would be very serious. On the other hand, by making the appropriations and then testing the matter before making payment of the money, the same object can be attained.

In a letter from the Comptroller, of December 21, I am requested in this opinion to also answer the question whether the salaries of the uniformed force of the Fire Department will be affected in consequence of currency and gold being at par with each other. I suppose reference is made to the second section of the act passed April 17, 1867, which provided as follows:

"On and after the passage of this act, and until the currency of the United States shall attain a par value in gold, the salaries of the members and employees of the Metropolitan Fire Department shall be as follows: "

If that act remained now in force, the effect would be that there would be no fixed salaries, so far as the persons named are concerned, after the happening of the event named.

By chapter 32, Laws of 1873, the salaries of the uniformed force were especially fixed anew by the legislature, without any limitations of time, and dependent upon no contingency. This would have the effect to repeal the provisions referred to in the act of 1867.

This situation was again changed by the Charter of 1873, which gave to the head of each department the power to fix and regulate the salaries of the subordinates of the department, "whether now fixed by special law or otherwise." This places the matter in the hands of the Board of Fire Commissioners, and I long since advised that Board that the whole matter of the salaries or compensation of the force was in their hands.

I am, sir, yours respectfully.

W. C. WHITNEY, Counsel to the Corporation.

Which was laid over.

The Chairman presented the following communication:

DEPARTMENT OF PUBLIC WORKS,
COMMISSIONER'S OFFICE,
NEW YORK, December 22, 1878.

Hon. SMITH ELY, Jr., Mayor, and Chairman Board of Estimate and Apportionment:

SIR—This Department is unable to attend to certain necessary repairs to public buildings and to necessary supplies for public offices, because the appropriations for these purposes are exhausted. In consequence of the temporary vacancy in the office of Chief Engineer of the Croton Aqueduct, there is a small surplus in the appropriation for "Salaries—Department of Public Works." I would therefore request that the sum of two hundred and fifty dollars (\$250) be transferred to the appropriation for "Public Buildings, Construction and Repairs," for 1878, and the sum of two hundred and fifty dollars (\$250) to the appropriation for "Supplies for and Cleaning Public Offices," for 1878, from the appropriation for "Salaries—Department of Public Works," for 1878, for the purposes of which the said sums are not needed.

Very respectfully,

ALLAN CAMPBELL, Commissioner of Public Works.

Which was referred to and the original sent to the Comptroller.

The Secretary presented the following communication:

Hon. SMITH ELY, Jr., Mayor, and Chairman Board of Estimate and Apportionment:

SIR—The Corporation Counsel of this city has petitioned your Honorable Body for the sum of three thousand dollars as counsel fee, on account of conducting the suit of the City vs. Walter S. Pinckney, Judge of the Seventh District Court of the City of New York.

We, for and in behalf of the Executive Committee of the Central Tax-payers Association of the City of New York, petition your Honorable Body against such an appropriation on account of the Corporation Counsel receiving an annual salary of \$15,000, with ten assistants receiving \$52,000 more, which, with the other employees engaged in the office of said Corporation Counsel, costs the city in the aggregate the sum of \$75,472 for attending to the duties thereof for the past year.

We would submit that the above suit appertains to the duties of the office of the Corporation Counsel, and respectfully ask that the above application be refused.

Respectfully,

SAMUEL WHITCHURCH,
Chairman of the Executive Committee.

Dated New York, December 26, 1878,

WM. F. PITSHKE, Secretary.

On motion, the Secretary was directed to send to the Central Taxpayers' Association, a copy of the opinion of the Counsel to the Corporation, relating thereto.

The Chairman presented the following communications:

OFFICE OF THE "CITY RECORD,"
NEW YORK, December 26, 1878.

To the Board of Estimate and Apportionment:

GENTLEMEN—We request that you authorize a transfer of the sum of fifteen hundred dollars from the appropriation "Contingencies—Mayor's Office," where there is a surplus for the year 1877, to the appropriation "Printing, Stationery, and Blank Books," 1878.

Yours, respectfully,

SMITH ELY, Jr., Mayor.
W. C. WHITNEY, Corporation Counsel.
ALLAN CAMPBELL, Commissioner of Public Works.

To the Honorable the Board of Apportionment of the City of New York:

GENTLEMEN—The mailed notice to meet your Honorable Body having arrived too late for the time indicated, I write to present the respectful request that the appropriation for the Children's Fold for the year 1879 be made on the basis of ninety children. Such has been our number since October 1st, and such is it sure to be during the coming year. The legal allowance of two dollars per week for each child would therefore amount to nine thousand three hundred and sixty dollars (\$9,360). None but the utterly destitute are received, and then only after thorough investigation by a committee appointed for the purpose. Our accommodations do not permit us much to exceed ninety, although by that restriction we are prevented from receiving all the numerous applications from the poorer congregations of our church. We shall not, however, fall below it. The stated quarterly payment of the amount required would save us the disagreeable necessity of letting bills remain unpaid until the City Treasury can provide for the deficiency in some other way.

Trusting that your Honorable Body may find this request reasonable, I am

Your obedient servant,
THOMAS M. PETERS,
President of the Children's Fold.

NEW YORK, Dec. 21, 1878.

Which were referred to the Comptroller.

On motion, the Board adjourned to meet to-morrow, December 27, 1878, at 11 o'clock, A. M.
Secretary.

BOARD OF ESTIMATE AND APPORTIONMENT—CITY OF NEW YORK,
MAYOR'S OFFICE, CITY HALL,
FRIDAY, December 27, 1878—11 o'clock A. M.

The Board met in pursuance of an adjournment.

Present all the members, viz.:

Smith Ely, Jr., the Mayor of the City of New York; John Kelly, the Comptroller of the City of New York; William R. Roberts, The President of the Board of Aldermen; John Wheeler, the President of the Department of Taxes and Assessments.

The minutes of the meeting held December 26, 1878, were read and approved.

Messrs. Gilon and Alderman Jacobus appeared before the Board and made statements in behalf of the citizens of the Ninth and Fifteenth Wards, and presented the following estimate:

DEPARTMENT OF PUBLIC WORKS,
COMMISSIONER'S OFFICE, ROOM 19, CITY HALL,
NEW YORK, December 26, 1878.

Estimated cost of regulating, grading, paving, flagging, and draining block of ground for market purposes, between West, Washington, Gansevoort, and Little West Twelfth streets:

300 cubic yards excavation	\$1,800
1,100 " material to remove	
2,400 " filling to furnish	
15,510 square yards trap-block pavement within house lines, at \$1.40	21,714
10,530 square feet flagging, to complete sidewalk, at 15 cents	1,579
Drainage	450
	\$25,543

ALLAN CAMPBELL, Commissioner of Public Works.

The Chairman presented the following communication:

DEPARTMENT OF PUBLIC WORKS,
COMMISSIONER'S OFFICE (Room 19), CITY HALL,
NEW YORK, December 27, 1878.

Hon. SMITH ELY, Jr., Mayor and Chairman Board of Estimate and Apportionment:

SIR—By a letter received last evening from Mr. John Wheeler, the Secretary of your Board am informed that the Board think that the amount paid for salaries out of the appropriation "Repairing and Renewal of Pipes, Stopcocks, etc.," and the item for "Supplying Water to shipping and for building purposes," should go to the salary account, and I am requested to communicate with your Board on the subject, at once.

In the Departmental Estimate, provision was made for the payment out of the appropriation "Repairing and Renewal of Pipes, Stopcocks, etc.," of employees, as follows:

An average force of fifteen (15) Inspectors of Water Pipes in buildings, to detect and prevent leaks and waste of water, at \$3.00 per day	\$13,77
An average force of five (5) men acting alternately as clerks and inspectors, as the public service may require, at \$3.50	5,355
One Inspector of Meters	1,200
One Messenger	1,000
Total	\$21,32

As stated in my letter to your Board of the 16th inst., the title of the appropriation for "Repairing and Renewal of Pipes, Stopcocks, etc.," does not give an adequate idea of the many demands it must cover. It is the only appropriation applicable to the maintenance of the entire system for distributing Croton water. One of the most successful and economical measures for maintaining efficiency of the distributing system was found in the house visitations by the above-mentioned inspectors, and it was certainly proper to charge their compensation to the appropriation for such tenance.

Another reason for not including this item in the salary appropriation is that the force varying to the season and other circumstances (during 1878 it varied from twelve to twenty), making it difficult to determine the exact amount required.

The cost of maintaining the water meters now in use, and owned by the city, must also come out of this appropriation, hence it was proper to make provision in it for the pay of an Inspector of Meters.

The reasons for making a separate appropriation for "Supplying Water to Shipping and Building Purposes" are as follows:

Until June 4, 1877, this service was performed under a contract or license, yielding the revenue of \$57,800 per annum.

When this contract expired, it was deemed more advantageous to the city and the public to have the service performed by Clerks and Inspectors in the employ of the Department, and your Board made provision for that purpose, for the balance of the year 1877, and a special appropriation for the year 1878.

The result of the new system was an increase of \$53,000 in revenue for the first year of its operation, and a still greater benefit in the suppression of an immense waste of water along the city streets. By an increase of the force of Inspectors, as provided in the Departmental Estimate, results can yet be improved upon, and in order to ascertain the exact expense of the new system its financial benefits, it appears desirable to have a separate appropriation for it.

In this instance, also, the force of Inspectors required varies with the seasons and other circumstances.

In conclusion, I would state that, inasmuch as the question of economy, of the efficiency of public service, or the increase in the city revenue will not be affected by transferring these items salary appropriation, provided that the amount asked by the Department be granted, it is not of importance whether such transfers are made, though for the reasons above stated, it seemed to me that the appropriation should be made in accordance with the Departmental Estimate and custom of previous years.

Very respectfully,

ALLAN CAMPBELL, Commissioner of Public Works.

Whereupon the Comptroller moved that the Secretary communicate in person with the Commissioner of Public Works in relation thereto.

Which was agreed to.

A communication was received from the Society for the Prevention of Cruelty to Animals, for an appropriation from the Excise Fund.

Which was referred to, and the original sent to the Comptroller.

On motion, the Board adjourned to meet to-morrow (December 28th), at 12.30 o'clock A. M.
JOHN WHEELER, Secretary.

BOARD OF ESTIMATE AND APPORTIONMENT—CITY OF NEW YORK,
MAYOR'S OFFICE, CITY HALL,
SATURDAY, December 28, 1878—12.30 o'clock P. M.

The Board met in pursuance of an adjournment.

Present—All the members, viz.:

Smith Ely, Jr., the Mayor of the City of New York; John Kelly, the Comptroller of the City of New York; William R. Roberts, the President of the Board of Aldermen; John Wheeler, the President of the Department of Taxes and Assessments.

The minutes of the meeting held December 27, 1878, were read and approved.

The Comptroller presented the following communication:

FINANCE DEPARTMENT, COMPTROLLER'S OFFICE,
NEW YORK, December 28, 1878.

To the Board of Estimate and Apportionment:

In pursuance of the provisions of section 8 of chapter 383 of the Laws of 1878, the Comptroller hereby certifies to the Board of Estimate and Apportionment that the sum of thirty-six thousand and seventy-nine dollars and fifty-five cents is the sum to be included in the Annual Estimate for the year 1879, which, with the sum to be included in the Annual Estimate each year thereafter, sufficient, with the accumulation of interest thereon, to meet and discharge the amount of the bonds and stocks payable from taxation, other than Revenue Bonds, issued in the year 1878, after the day of June, the date of the passage of said act, "by the time the same shall be payable," as provided, and as shown by a statement of the same herewith submitted.

JOHN KELLY, Comptroller.

Statement showing the amount of bonds and stocks of the city of New York issued in the year 1878, after the 3d day of June, pursuant to statutes authorizing the same, and payable from taxes other than Revenue Bonds, and the sums to be included in the annual estimate each year, sufficient, with the accumulation of interest thereon to meet and discharge the same by the time they shall be payable, as provided by section 8 of chapter 383, of the Laws of 1878:

TITLES OF BONDS AND STOCKS.	STATUTES UNDER WHICH ISSUED.	Rate of Interest.	When due.	Amount Issued after Jan. 1, 1878, in the year 1878.	Number of Years the Bonds run from November 1, 1878.	Amount to be raised by Tax, annually.
Bonds of the Mayor, Aldermen and Commonalty of the City of New York (for fitting up and furnishing armories and drill rooms).....	Chap. 473, Laws of 1877 ..	Per cent	1881	\$43,563 32	3	\$13,818 66
Additional Croton Water Stock.....	Chaps. 56 and 328, Laws of 1871.....	5	1891	45,000 00	13	2,540 51
City Improvement Stock.....	Chap. 920, Laws of 1869 ..	5	1892	190,018 83	14	9,695 56
New York County Court-house Stock.....	Chap. 583, Laws of 1871 ..	5	1898	22,000 00	20	665 34
Museums of Art and Natural History Stock.....	Chap. 290, Laws of 1871 ..	5	1903	12,000 00	25	251 43
Assessment Fund Stock.....	Chap. 565, Laws of 1865 ..	5	1903	500 00	25	10 48
City Parks Improvement Fund Bonds ..	Chap. 608, Laws of 1875 ..	5	1904	10,000 00	26	195 64
Croton Water Main Stock.....	Chap. 477, Laws of 1875 ..	5	1906	284,000 00	28	4,862 79
Dock Bonds	Chap. 574, Laws of 1871 ..	5	1908	275,000 00	30	4,139 14
Total.....						\$36,179 55

Which was laid over.

The Comptroller offered for adoption the following resolution :

Resolved, That the sum of fifteen hundred dollars be and the same is hereby transferred from the appropriation made for "Contingencies—Mayor's Office," for the year 1877, which is in excess of the amount required for the purposes and objects thereof, to the appropriation made for "Printing Stationery and Blank-books," for the year 1878, which is insufficient.

The Chairman put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote :

Affirmative—The Mayor of the City of New York (Chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments—4.

The Comptroller presented a communication from the Department of Public Works, referred to him at meeting of December 26.

And offered for adoption the following resolution :

Resolved, That the sum of five hundred dollars be and the same is hereby transferred from the appropriation made to the Department of Public Works for the year 1878, entitled "Salaries—Department of Public Works," which is in excess of the amount required for the purposes and objects thereof, to the following appropriations made to said Department for the year 1878, which are insufficient, viz. :

"Public Buildings—Construction and Repairs"..... \$250 00
 "Supplies for and Cleaning Public Offices"..... 250 00

Total..... \$500 00

The Chairman put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote :

Affirmative—The Mayor of the City of New York (Chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments—4.

The Comptroller offered for adoption the following resolution :

Resolved, That the sum of three thousand and nine dollars and eleven cents be and the same is hereby transferred from the following appropriations, which are in excess of the amounts required for the purposes and objects thereof, viz. :

"Salaries—Judiciary," 1877..... \$2,002 70
 "Disbursements and Fees of County Officers and Witnesses," 1878..... 1,006 41

Total..... \$3,009 11

—to the following appropriations made for the year 1878, which are insufficient or require the same, viz. :

"Salaries—Judiciary" (The Supreme Court—Clerks, Criers, Stenographers, and Librarian \$410.80; Compensation of Judges from other districts, \$1,070. The Superior Court—Clerks, Assistants, and Stenographers \$833.30)..... \$2,314 10
 "Advertising"..... 300 00
 "Contingencies—Comptroller's Office"..... 170 00
 "Jurors' Fees"..... 225 01

Total..... \$3,009 11

The Chairman put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote :

Affirmative—The Mayor of the City of New York (Chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments—4.

The Comptroller offered for adoption the following resolution :

Resolved, That the sum of two thousand dollars be and the same is hereby transferred from the appropriation made to "The College of the City of New York," for the year 1878, entitled "For Repairs to Buildings," which is in excess of the amount required for the purposes and objects thereof, to the appropriation made to "The College of the City of New York," for the year 1878, entitled "For Salaries of Professors and Officers, Scientific Apparatus, Books," etc., which is insufficient.

The Chairman put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote :

Affirmative—The Mayor of the City of New York (Chairman), the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments—4.

The Comptroller presented the following communication :

LAW DEPARTMENT,
 OFFICE OF THE COUNSEL TO THE CORPORATION,
 NEW YORK, December 27, 1878.

The Board of Estimate and Apportionment :

GENTLEMEN—I have the honor to request you to transfer from the appropriation for salary of the Counsel to the Corporation the sum of one hundred and one 42-100 (\$101 42-100) dollars to the appropriation for this year of the "Salaries of Assistants, Clerks, and Messengers" of this office.

I am, gentlemen, very respectfully yours,

W. C. WHITNEY,
 Counsel to the Corporation.

And offered for adoption the following resolution :

Resolved, That the sum of one hundred and one dollars and forty-two cents be and the same is hereby transferred from the appropriation made for "Law Department—Salary of the Counsel to the Corporation," for the year 1878, the same being in excess of the amount required for the purposes and objects thereof, to the appropriation for the same Department, for "Salaries of Assistants, Clerks, and Messengers," for the year 1878, for which it is required.

The Chairman put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote :

Affirmative—The Mayor of the City of New York (Chairman); the Comptroller of the City of New York; the President of the Board of Aldermen; and the President of the Department of Taxes and Assessments—4.

The Chairman presented a communication from the "General Committee to Canvass for City Charities," asking for an appropriation of five hundred dollars.

Which was referred to and the original sent to the Comptroller.

The Comptroller presented the following

At a Special Term of the Supreme Court of the State of New York held at the Court-house in the City of New York on the 28th day of December, 1878.

Present—Hon. Noah Davis, Justice.

The People of the State of New York on the relation of the Trustees of the College of the City of New York against The Mayor of the City of New York, the Comptroller of the City of New York, the President of the Board of Aldermen of the City of New York, and the President of the Department of Taxes and Assessments of said city, constituting the Board of Estimate and Apportionment.

On reading the affidavit of Lawrence D. Kiernan, sworn on the 28th day of December, 1878, and on motion of Stephen A. Walker, of counsel for the said relator, it is ordered that the Mayor of the City of New York, the Comptroller of the City of New York, the President of the Board of Aldermen of the City of New York, and the President of the Department of Taxes and Assessments of said city, constituting the Board of Estimate and Apportionment, above named, show cause at a Special Term of this Court to be held at the Chambers of the Justices thereof in the Court-house in

the City of New York on the 30th day of December, 1878, at 10½ o'clock in the forenoon, or so soon thereafter as counsel can be heard why the said Board of Estimate and Apportionment should not be compelled forthwith to insert in the final estimate for the year 1879, provided for by section 112 of chapter 335 of the Laws of 1873, the sum of one hundred and forty thousand dollars as and for the use, maintenance, and support of the College of the City of New York, or why said relator should not have such further or other relief as may be just, or why a peremptory mandamus should not issue directed to the persons hereinabove named composing the said Board of Estimate and Apportionment in the usual form and requiring them to do the acts above mentioned.

And it is further ordered that a copy of this order, together with a copy of the affidavit upon which the same is founded, be served on the said persons hereinabove named on or before the 28th day of December, instant.

(Signed)

NOAH DAVIS, J. S. C.

City, County, and State of New York, ss. :

Lawrence D. Kiernan, of said city, being duly sworn, says : I am and have been for several years last past Secretary of the Board of Trustees of the College of the City of New York.

As required by law, said Board of Trustees, on or before the 15th day of November of the present year, reported to the Board of Supervisors of the County of New York that said Board of Trustees would require, in the year 1879, the sum of one hundred and forty thousand dollars for the payment of the salaries of the professors and officers of the said college; for obtaining and furnishing scientific apparatus, books for the students, and for all other necessary supplies therefor, and for repairing and altering the college buildings, and for the support, maintenance, and general expenses of said college.

On or before said day, the same report was made by said Board of Trustees to the Mayor of the City of New York, the Comptroller of the City of New York, the President of the Board of Aldermen, and the President of the Department of Taxes and Assessments, constituting together the Board of Estimate and Apportionment.

Notwithstanding the said report of said Trustees to the effect that the sum of one hundred and forty thousand dollars was necessary for the purposes hereinbefore mentioned, said Board of Estimate and Apportionment did, on and after the receipt of said report, proceed to include in the Provisional Estimate required by law to be made by said Board the sum of one hundred and thirty-five thousand dollars instead of one hundred and forty thousand dollars, as the provisional estimate for the College of the City of New York for the year 1879.

I am informed and believe that the said Provisional Estimate for the year 1879 having been submitted to, considered, and investigated by the Board of Aldermen of the city, is at the present time being revised by said Board of Estimate and Apportionment, and that said Board is engaged in making a final estimate for the year 1879, which duty must by law be completed before the first day of January, 1879.

Said Board of Trustees of the College of the City of New York are advised that the aforesaid action of the Board of Estimate and Apportionment is contrary to law, and that said latter Board is not authorized to vary from the estimates made by the Board of Trustees of the necessary expenditures of the College, and that the sum fixed and reported by said Trustees is the proper and only sum to be raised and collected on behalf of said College by tax on the estate, real and personal, in this county.

An order in behalf of said Board of Trustees is therefore prayed for, that a peremptory mandamus issue directing said Board of Estimate and Apportionment to insert in the Final Estimate for the year 1879, to be made and signed by the several members thereof, the sum of one hundred and forty thousand dollars as and for the uses of the College of the City of New York. An order to show cause why such mandamus should not issue is necessary from the fact that so little time remains of the official life of the present Board of Estimate and Apportionment.

LAW. D. KIERNAN.

Sworn to before me, this twenty-eighth day of
 December, 1878,

HENRY P. WEST,

Notary Public, County of New York.

Referred to the Counsel to the Corporation.

On motion, the Board adjourned to meet on Monday, December 30, 1878, at 12 o'clock M.

JOHN WHEELER, Secretary.

COMMISSIONERS OF THE SINKING FUND.

Abstract of the proceedings of the Commissioners of the Sinking Fund, at the meeting held December 28, 1878.

Present—Hon. Smith Ely, Jr., Mayor (Chairman); Hon. John K. Hackett, Recorder; Hon. John Kelly, Comptroller; J. Nelson Tappan, Esq., Chamberlain; and Patrick Keenan, Esq., Chairman Finance Committee, Board of Aldermen.

The minutes of the last meeting were read and approved.

The Comptroller stated that on December 28, 1878, there was a balance in the Treasury, to the credit of the Sinking Fund for the payment of interest on the city debt, of \$644,000; and submitted the following resolution, which, on motion, was adopted, viz. :

Resolved, That a warrant be drawn in favor of the Chamberlain, for the sum of five hundred and forty-four thousand dollars (\$544,000), chargeable to the "Sinking Fund for the payment of interest on the City Debt," on account of "Surplus Revenues" of said fund, for the year 1878, and to be credited to the "General Fund," as provided by chapter 163, Laws of 1862.

The Committee (Comptroller and Chamberlain) to whom was referred the resolution of the Common Council, approved by the Mayor, December 11, 1878, in relation to supplying steam under "The Holly Combination System," to the city and its inhabitants, for heating, cooking and other domestic purposes, submitted their report, together with the following resolution, viz. :

Resolved, That the Commissioners of the Sinking Fund, do hereby fix the terms, limitations, restrictions, and conditions upon which Francis B. Spinola and his associates may lay mains and pipes within the lines of the streets, avenues, and public places, in the City of New York, with such connections as may be necessary, for the purpose of supplying steam under the Holly Combination System, to the city and its inhabitants, for heating, cooking, and all other domestic purposes, as well as for any and all uses for which steam can be employed, as follows :

1st. That said Francis B. Spinola, for himself and his associates, shall enter into an agreement with the Mayor, Aldermen, and Commonalty of the City of New York, that they will furnish a bond in the sum of \$50,000, with sufficient and adequate security, that they will replace the pavement in any street, avenue, or public place, in which the mains or pipes for furnishing steam, under the Holly Combination System, shall be laid; and that such work and repairs shall be done to the satisfaction of the Commissioner of Public Works; also that the mains and pipes shall be used only for the transmission of steam and water, and not for petroleum, or other oils, or any other purpose.

2d. That said Francis B. Spinola, for himself and his associates, shall agree to heat the City Hall, County Court-house, and all the School-houses, Station-houses, Engine-houses, Police and Civil Justices Court-houses, together with all other buildings owned or leased by the city or county, and used for public purposes, and fronting on any street, avenue, or public place, in which their mains have been laid, within the district bounded as follows, and all streets and lanes within said described district :

Beginning at the point of intersection of the northerly line of State street, with the westerly line of Whitehall street, thence along State street to Battery place; thence along Battery place to West street; thence along West street to Chambers street; thence through Chambers street, in an easterly direction, to James slip; thence through James slip to South street; thence along South street to Whitehall street; and thence through Whitehall street to State street, at the point of beginning, for at least one-third less than the average cost to the city for the years 1876, 1877, and 1878; and that all the appliances connected with the introduction of steam-heating in any of said buildings, above referred to, shall be furnished by the said Francis B. Spinola and his associates at the actual cost thereof to them.

3d. That the said Francis B. Spinola, for himself and his associates, whenever requested by the proper authorities having charge of such matters, shall furnish steam for the purpose of cleaning the principal streets, public places, and avenues within such district from snow or ice, and also to supply steam for the use of the fire engines, at reasonable rates, wherever their mains and pipes shall be laid.

4th. That said Francis B. Spinola, for himself and his associates, shall pay into the Sinking Fund, for the benefit of the City of New York, the sum of three cents for each lineal foot of mains and pipes laid by them, beneath the carriage or roadway of any street, avenue, or public place in the city, within said district, until such payments shall have amounted to one hundred and fifty thousand dollars, after which the said payments shall cease and terminate.

5th. That the said Francis B. Spinola, for himself and his associates, be authorized to lay mains or pipes within the district bounded as follows: Beginning at the point of intersection of the northerly line of State street with the westerly line of Whitehall street, thence along State street to Battery place, thence along Battery place to West street; thence along West street to Chambers street; thence through Chambers street, in an easterly direction, to James slip; thence through James slip to South street; thence along South street to Whitehall street; and thence through Whitehall street to State street, at the point of beginning, and all streets and lanes lying within such district.

The report was accepted and approved, and, on motion, the resolution was adopted—the Mayor, Comptroller, Chamberlain, and Chairman Finance Committee of the Board of Aldermen voting in the affirmative, and the Recorder in the negative.

W. H. DIKEMAN, Secretary.

OFFICIAL DIRECTORY.

STATEMENT OF THE HOURS DURING WHICH
all the Public Offices in the City are open for business, and at which each Court regularly opens and adjourns, as well as of the places where such offices are kept and such Courts are held; together with the heads of Departments and Courts.

EXECUTIVE DEPARTMENT.

Mayor's Office.
No. 6 City Hall, 10 A. M. to 3 P. M.
SMITH ELY, Jr., Mayor; GEORGE B. VANDERPOEL, Secretary.

Mayor's Marshal's Office.
No. 7 City Hall, 10 A. M. to 3 P. M.
JOHN TYLER KELLY, First Marshal.

Permit and License Bureau Office.
No. 1 City Hall, 10 A. M. to 3 P. M.
DANIEL S. HART, Registrar.

LEGISLATIVE DEPARTMENT

Office of Clerk of Common Council.
No. 8 City Hall, 10 A. M. to 4 P. M.
WILLIAM R. ROBERTS, President; Board of Aldermen;
FRANCIS J. TWOMEY, Clerk Common Council.

DEPARTMENT OF PUBLIC WORKS

Commissioner's Office.
No. 19 City Hall, 9 A. M. to 4 P. M.
ALLAN CAMPBELL, Commissioner; HUBERT O. THOMPSON, Deputy Commissioner.

Bureau of Water Register.
No. 10 City Hall, 9 A. M. to 4 P. M.
JOHN H. CHAMBERS, Register; WILLIAM R. FARRELL, Deputy Register.

Bureau of Incumbrances.
No. 13 City Hall, 9 A. M. to 4 P. M.
JOSEPH BLUMENTHAL, Superintendent.

Bureau of Lamps and Gas.
No. 21 City Hall, 9 A. M. to 4 P. M.
STEPHEN MCCORMICK, Superintendent.

Bureau of Streets.
No. 19 City Hall, 9 A. M. to 4 P. M.
JAMES J. MOONEY, Superintendent.

Bureau of Sewers.
No. 21 City Hall, 9 A. M. to 4 P. M.
STEVENSON TOWLE, Engineer-in-Charge.

Bureau of Chief Engineer.
No. 11½ City Hall, 9 A. M. to 4 P. M.

Bureau of Street Improvements.
No. 11 City Hall, 9 A. M. to 4 P. M.
GEORGE A. JEREMIAH, Superintendent.

Bureau of Repairs and Supplies.
No. 18 City Hall, 9 A. M. to 4 P. M.
THOMAS KEECH, Superintendent.

Bureau of Water Purveyor.
No. 4 City Hall, 9 A. M. to 4 P. M.
DANIEL O'REILLY, Water Purveyor.

Keeper of Buildings in City Hall Park.
JOHN F. SLOPER, City Hall.

FINANCE DEPARTMENT.

Comptroller's Office.
Nos. 19 and 20 New County Court-house, 9 A. M. to 4 P. M.
JOHN KELLY, Comptroller; RICHARD A. STORRS, Deputy Comptroller.

Auditing Bureau.
No. 19 New County Court-house, 9 A. M. to 4 P. M.
DANIEL JACKSON, Auditor of Accounts.

Bureau of Arrears.
No. 5 New County Court-house, 9 A. M. to 4 P. M.
ARTEMAS CADDY, Clerk of Arrears.

Bureau for the Collection of Assessments.
No. 16 New County Court-house, 9 A. M. to 4 P. M.
EDWARD GILON, Collector.

Bureau of Markets.
No. 6 New County Court-house, 9 A. M. to 4 P. M.
JOSHUA M. VARIAN, Superintendent of Markets.

Bureau for the Collection of Taxes.
First floor, Brown-stone building, City Hall Park.
MARTIN T. MCMAHON, Receiver of Taxes; ALFRED VREDENBURG, Deputy Receiver of Taxes.

Bureau of City Revenue.
No. 6 New County Court-house, 9 A. M. to 4 P. M.
EDWARD F. FITZPATRICK, Collector of City Revenue.

Bureau of the City Chamberlain.
No. 18 New County Court-house, 9 A. M. to 4 P. M.
J. NELSON TAPPAN, City Chamberlain.

LAW DEPARTMENT.

Office of the Counsel to the Corporation.
Staats Zeitung Building, third floor, 9 A. M. to 4 P. M.
WILLIAM C. WHITNEY, Counsel to the Corporation;
ANDREW T. CAMPBELL, Chief Clerk.

Office of the Public Administrator.
No. 49 Beekman street, 9 A. M. to 4 P. M.
ALGERNON S. SULLIVAN, Public Administrator.

Office of the Corporation Attorney.
No. 49 Beekman street, 9 A. M. to 4 P. M.
WILLIAM A. BOYD, Corporation Attorney.

Attorney to Department of Buildings Office.
Corner Cortland and Church streets.
JOHN A. FOLEY, Attorney.

POLICE DEPARTMENT.

Central Office.
No. 300 Mulberry street, 9 A. M. to 4 P. M.
WILLIAM F. SMITH, President; SETH C. HAWLEY, Chief Clerk.

DEPARTMENT OF CHARITIES AND CORRECTION.

Central Office.
Third avenue, corner Eleventh street, 9 A. M. to 4 P. M.
TOWNSEND COX, President; JOSHUA PHILLIPS, Secretary.

FIRE DEPARTMENT.

Headquarters.
Nos. 153, 155, and 157 Mercer street, 9 A. M. to 4 P. M.
VINCENT C. KING, President; CARL JUSSEN, Secretary.

HEALTH DEPARTMENT.

No. 301 Mott street, 9 A. M. to 4 P. M.
CHARLES F. CHANDLER, President; EMMONS CLARK, Secretary.

DEPARTMENT OF PUBLIC PARKS.

No. 36 Union square, 9 A. M. to 4 P. M.
JAMES F. WENMAN, President; WILLIAM IRWIN, Secretary.

Civil and Topographical Office.
Arsenal, 64th street and 5th avenue, 9 A. M. to 4 P. M.
JAMES R. CROES, Engineer.

Office of Superintendent of 23d and 24th Wards.
Fordham, 9 A. M. to 5 P. M.

DEPARTMENT OF DOCKS.

Nos. 117 and 119 Duane street, 9 A. M. to 4 P. M.
JACOB A. WESTERVELT, President; EUGENE T. LYNCH, Secretary.

DEPARTMENT OF TAXES AND ASSESSMENTS
Brown-stone building, City Hall Park, 9 A. M. to 4 P. M.
JOHN WHEELER, President; ALBERT STORER, Secretary.

COMMISSION FOR THE COMPLETION OF THE NEW COUNTY COURT-HOUSE.
No. 28 New County Court-house, 9 A. M. to 5 P. M.
WYLLIS BLACKSTONE, President; ISAAC EVANS, Secretary.

REGISTER'S OFFICE.

East side City Hall Park, 9 A. M. to 4 P. M.
FREDERICK W. LOEW, Register; AUGUSTUS T. DOCHARTY, Deputy Register.

COMMISSIONERS OF ACCOUNTS.

No. 27 Chambers street, 9 A. M. to 4 P. M.
LINDSAY I. HOWE, JOHN H. MOONEY.

COMMISSIONER OF JURORS.

No. 17 New County Court-house, 9 A. M. to 4 P. M.
THOMAS DUNLAP, Commissioner; ALFRED J. KEEGAN, Deputy Commissioner.

COUNTY CLERK'S OFFICE.

Nos. 7 and 8 New County Court-house, 9 A. M. to 4 P. M.
HENRY A. GUMBLETON, County Clerk; J. FAIRFAX McLAUGHLIN, Deputy County Clerk.

DISTRICT ATTORNEY'S OFFICE.

Second floor, Brown-stone building, City Hall Park, 9 A. M. to 4 P. M.
BENJAMIN K. PHELPS, District Attorney; MOSES P. CLARK, Chief Clerk.

THE CITY RECORD OFFICE.

And Bureau of Printing, Stationery, and Blank Books.
No. 2 City Hall, 8 A. M. to 6 P. M.; Saturdays, 8 A. M. to 5 P. M.
CHARLES F. WOOD, Supervisor; R. P. H. ABELL, Book-keeper.

BOARD OF ASSESSORS.

Office, No. 114 White street, 9 A. M. to 4 P. M.
THOMAS B. ASTEN, President; WM. H. JASPER, Secretary.

DEPARTMENT OF BUILDINGS.

No. 2 Fourth avenue, 9 A. M. to 4 P. M.
WALTER W. ADAMS, Superintendent.

BOARD OF EXCISE.

Corner Mulberry and Houston streets, 9 A. M. to 4 P. M.
RICHARD J. MORRISON, President; J. B. ADAMSON, Chief Clerk.

SEALERS OF WEIGHTS AND MEASURES

No. 236 West Forty-third street.
ELIJAH W. ROE.

SHERIFF'S OFFICE.

Nos. 3 and 4 New County Court-house, 9 A. M. to 4 P. M.
BERNARD REILLY, Sheriff; JOHN T. CUMMING, Under Sheriff.

CORONERS' OFFICE.

No. 40 East Houston street.
HENRY WOLTMAN, MORITZ ELLINGER, RICHARD CROKER, and RICHARD FLANAGAN, Coroners.

SUPREME COURT.

Second floor, New County Court-house, 10½ A. M. to 3 P. M.
General Term, Room No. 9.
Special Term, Room No. 10.
Chambers, Room No. 11.
Circuit, Part I, Room No. 12.
Circuit, Part II, Room No. 13.
Circuit, Part III, Room No. 14.

POLICE DEPARTMENT.

POLICE DEPARTMENT CITY OF NEW YORK.
PROPERTY CLERK'S OFFICE.
No. 300 MULBERRY STREET, Room 39,
NEW YORK, December 2, 1878.

OWNERS WANTED BY THE PROPERTY
Clerk of the Police Department, City of New York,
300 Mulberry street, Room 39, for the following property
now in his custody without claimants: Boats, wagons,
revolvers, silver watch, trunks and contents, hand carts,
bagatelle balls, eight boxes cigars, piece flannel, also small
amount of cash taken from prisoners and found.

C. A. ST. JOHN,
Property Clerk.

THE CITY RECORD.

COPIES OF THE CITY RECORD CAN BE
obtained at No. 2 City Hall (northwest corner
basement). Price three cents each.

CORPORATION NOTICE.

NOTICE IS HEREBY GIVEN THAT THE FOLLOWING
Assessment Lists have been received by the
Board of Assessors from the Commissioner of Public
Works:

No. 1—Regulating, grading, curb, gutter and flagging Fourth avenue, from One Hundred and Second to One Hundred and Tenth street.....	\$10,740 84
No. 2—Flagging north side of Fifty-seventh street, between Third and Lexington avenues.....	145 20
No. 3—Tree planting in Sixth avenue, from One Hundred and Tenth to One Hundred and Forty-fifth street....	4,353 75
Total.....	\$15,239 79

WM. H. JASPER,
Secretary.

OFFICE BOARD OF ASSESSORS,
No. 114 WHITE STREET (COR. CENTRE),
NEW YORK, December 18, 1878.

NOTICE IS HEREBY GIVEN THAT THE FOLLOWING
Assessment Lists have been received by the
Board of Assessors from the Commissioner of Public
Works:

No. 1—Laying crosswalks at the northerly and southerly intersections of One Hundred and Eighth and One Hundred and Ninth streets and Fourth avenue....	\$874 48
No. 2—Paving Eighty-fourth street, from the Boulevard to Riverside Drive.....	4,563 89

WM. H. JASPER,
Secretary.

OFFICE BOARD OF ASSESSORS,
No. 114 WHITE STREET (COR. CENTRE),
NEW YORK, December 6, 1878.

FINANCE DEPARTMENT.

DEPARTMENT OF FINANCE,
BUREAU FOR THE COLLECTION OF ASSESSMENTS,
No. 16 NEW COUNTY-COURT-HOUSE, CITY HALL PARK,
NEW YORK, December 23, 1878.

NOTICE TO PROPERTY-HOLDERS.

PROPERTY-HOLDERS ARE HEREBY NOTIFIED
that the following assessment list was received
this day in this Bureau for collection:
CONFIRMED AND ENTERED DECEMBER 20, 1878.
10th avenue, regulating, grading, etc., and superstructure, from 155th to 194th street.
All payments made on the above assessment on or before February 21, 1879, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of entry.
The Collector's office is open daily from 9 A. M. to 2 P. M., for the collection of money, and until 4 P. M., for general information.

EDWARD GILON,
Collector of Assessments.

DEPARTMENT OF FINANCE,
BUREAU FOR COLLECTION OF ASSESSMENTS,
No. 16 NEW COUNTY-COURT-HOUSE, CITY HALL PARK,
NEW YORK, December 20, 1878.

NOTICE TO PROPERTY-HOLDERS.

PROPERTY-HOLDERS ARE HEREBY NOTIFIED
that the following assessment lists were received
this day in this Bureau for collection:
CONFIRMED AND ENTERED DECEMBER 17, 1878.
60th street sewer, between 1st and 2d avenues.
All payments made on the above assessments on or before February 18, 1879, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of entry.
The Collector's office is open daily, from 9 A. M. to 2 P. M., for the collection of money, and until 4 P. M. for general information.

EDWARD GILON,
Collector of Assessments.

DEPARTMENT OF FINANCE,
BUREAU FOR THE COLLECTION OF ASSESSMENTS,
No. 16 NEW COUNTY-COURT-HOUSE, CITY HALL PARK,
NEW YORK, December 6, 1878.

NOTICE TO PROPERTY-HOLDERS.

PROPERTY-HOLDERS ARE HEREBY NOTIFIED
that the following assessment lists were received
this day in this Bureau for collection:
CONFIRMED AND ENTERED DECEMBER 3, 1878.
2d avenue, flagging, east side, between 64th and 65th streets.
4th avenue, regulating and paving, from 49th to 67th streets.
Washington street, sewer, between Perry and West 11th streets.
8th avenue, sewer, between 92d and 105th streets, with branches.
119th street, sewer, between 4th and 5th avenues, and in 4th avenue, etc.
124th street, fencing, northwest corner of Madison avenue.
24th street, fencing, south side, eighty-two feet east of 1st avenue.

All payments made on the above assessments on or before February 4, 1879, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of entry.
The Collector's office is open daily from 9 A. M. to 2 P. M., for the collection of money, and until 4 P. M., for general information.

EDWARD GILON,
Collector of Assessments.

REAL ESTATE RECORDS

THE ATTENTION OF LAWYERS, REAL
Estate Owners, Monetary Institutions engaged in making loans upon real estate, and all who are interested in providing themselves with facilities for reducing the cost of examinations and searches, is invited to these Official Indices of Records, containing all recorded transfers of real estate in the City of New York from 1653 to 1857 prepared under the direction of the Commissioners of Records.
Grants, grantees, suits in equity, insolvents' and Sheriffs' sales, in 61 volumes, full bound, price..... \$100 00
The same, in 25 volumes, half bound..... 50 00
Complete sets, folded, ready for binding..... 15
Records of Judgments, 25 volumes, bound..... 10 00
Orders should be addressed to "Mr. Stephen Angell, Comptroller's Office, New County Court-house,"
JOHN KELLY,
Comptroller

COMPTROLLER'S OFFICE,
NEW YORK, February 6, 1877.

DEPARTMENT OF FINANCE,
BUREAU FOR COLLECTION OF ASSESSMENTS,
No. 16 NEW COUNTY-COURT-HOUSE, CITY HALL PARK,
NEW YORK, December 13, 1878.

NOTICE TO PROPERTY-HOLDERS.

PROPERTY-HOLDERS ARE HEREBY NOTIFIED
that the following assessment lists were received
this day in this Bureau for collection:
CONFIRMED AND ENTERED DECEMBER 10, 1878.
93rd street, regulating, grading, etc., from Boulevard to 8th avenue.
115th street, regulating, grading, etc., from 8th avenue to Harlem river.
Waverly place, sewer, between West 10th street and Charles street.
Madison street, basin, northwest corner Birmingham street.
All payments made on the above assessments on or before February 11, 1879, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of entry.
The Collector's office is open daily, from 9 A. M. to 2 P. M., for the collection of money, and until 4 P. M. for general information.

EDWARD GILON,
Collector of Assessments.

DEPARTMENT OF FINANCE,
BUREAU FOR THE COLLECTION OF ASSESSMENTS,
No. 16 NEW COUNTY-COURT-HOUSE, CITY HALL PARK,
NEW YORK, November 26, 1878.

NOTICE TO PROPERTY-HOLDERS.

PROPERTY-HOLDERS ARE HEREBY NOTIFIED
that the following assessment lists were received
this day in this Bureau for collection:

CONFIRMED AND ENTERED NOVEMBER 22, 1878.
22d street, regulating, grading, etc., between Avenue A and East river.
81st street, regulating, grading, etc., between 9th and 10th avenues.
107th street, regulating, grading, etc., between 5th avenue and Harlem river.
76th street, curb, gutter and flagging, between 1st avenue and Avenue A.
114th street, paving, from 2d to 4th avenue.
120th street, paving, from 1st avenue to Harlem river.

Nassau street, sewer, from Beekman to Spruce street.
Ann street, sewer, from William to Gold street.
132d and 133d streets, sewer, from 6th to 7th avenue.
11th avenue, sewer, from 60th to 64th street.
75th street, fencing, north side, between 2d and 3d avenues.

All payments made on the above assessments on or before January 25, 1879, will be exempt (according to law) from interest. After that date interest will be charged at the rate of seven (7) per cent. from the date of entry.
The Collector's office is open daily, from 9 A. M. to 2 P. M., for the collection of money, and until 4 P. M. for general information.

EDWARD GILON,
Collector of Assessments.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
No. 66 THIRD AVENUE,
NEW YORK, December 28, 1878.

IN ACCORDANCE WITH AN ORDINANCE OF
the Common Council, "In relation to the burial of strangers or unknown persons who may die in any of the public institutions of the City of New York," the Commissioners of Public Charities and Correction report as follows:

At Penitentiary Blackwell's Island—Mary Murray, alias Mary Vail, aged 45 years; 5 feet 4 inches high; brown hair; gray eyes. Had on when admitted plaid shawl and wrapper, muslin skirts, black calico sacque, gaiter shoes. Nothing known of her friends or relatives.

At Almshouse, Blackwell's Island—George Lambert, admitted October 22, 1878. Nothing known of his friends or relatives.

By Order,
JOSHUA PHILLIPS,
Secretary.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
No. 66 THIRD AVENUE,
NEW YORK, December 27, 1878.

IN ACCORDANCE WITH AN ORDINANCE OF
the Common Council, "In relation to the burial of strangers or unknown persons who may die in any of the public institutions of the City of New York," the Commissioners of Public Charities and Correction report as follows:

At Hart's Island Hospital—John Fisher; aged 60 years; 5 feet 7 inches high; gray eyes and hair. Nothing known of his friends or relatives.

By Order,
JOSHUA PHILLIPS,
Secretary.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
No. 66 THIRD AVENUE,
NEW YORK, December 24, 1878.

IN ACCORDANCE WITH AN ORDINANCE OF
the Common Council, "In relation to the burial of strangers or unknown persons who may die in any of the public institutions of the City of New York," the Commissioners of Public Charities and Correction report as follows:

At Homoeopathic Hospital, Ward's Island—Catharine Watson; aged 67 years; 5 feet 3 inches high; gray eyes and hair. Had on when admitted, brown calico dress, black sacque and skirt, gaiters. Nothing known of her friends or relatives.

At New York City Asylum for Insane, Ward's Island—Francis Quinn; aged 68 years; 5 feet 6½ inches high; blue eyes; gray hair. Nothing known of his friends or relatives.

By Order,
JOSHUA PHILLIPS,
Secretary.

DEPARTMENT OF PUBLIC CHARITIES AND CORRECTION,
No. 66 THIRD AVENUE,
NEW YORK, December 23, 1878.

IN ACCORDANCE WITH AN ORDINANCE OF
the Common Council, "In relation to the burial of strangers or unknown persons who may die in any of the public institutions of the City of New York," the Commissioners of Public Charities and Correction report as follows:

At Hart's Island Hospital—Jane Burns, transferred from Workhouse November 6, 1878. Nothing known of her friends or relatives.

At Workhouse Blackwell's Island—Martin McCue, aged 55 years; committed December 7, 1878. Nothing known of his friends or relatives.

By Order,
JOSHUA PHILLIPS,
Secretary.

JURORS.

NOTICE
IN RELATION TO JURORS FOR
STATE COURTS

OFFICE OF THE COMMISSIONER OF JURORS,
NEW COUNTY COURT-HOUSE,
NEW YORK, June 1, 1877.

APPLICATIONS FOR EXEMPTIONS WILL BE
heard here, from 9 to 4 daily, from all persons hitherto liable or recently serving who have become exempt, and all needed information will be given.

Those who have not answered as to their liability, or proved permanent exemption, will receive a "jury enrollment notice," requiring them to appear before me this year. Whether liable or not, such notices must be answered (in person, if possible, and at this office only) under severe penalties. If exempt, the party must bring proof of exemption; if liable, he must also answer in person, giving full and correct name, residence, etc., etc. No attention paid to letters.

Persons "enrolled" as liable must serve when called or pay their fines. No mere excuse will be allowed or interference permitted. The fines, received from those who, for business or other reasons, are unable to serve at the time selected, pay the expenses of this office, and if unpaid will be entered as judgments upon the property of the delinquents.

All good citizens will aid the course of justice, and secure reliable and respectable juries, and equalize their duty by serving promptly when summoned, allowing their clerks or subordinates to serve, reporting to me any attempt at bribery or evasion, and suggesting names for enrollment. Persons between sixty and seventy years of age, summer absentees, persons temporarily ill, and United States and District Court jurors are not exempt.

Every man must attend to his own notice. It is a misdemeanor to give any jury paper to another to answer. It is also punishable by fine or imprisonment to give or receive any present or bribe, directly or indirectly, in relation to a jury service, or to withhold any paper or make any false statement, and every case will be fully prosecuted.

THOMAS DUNLAP, Commissioner,
County Court-house (Chambers street entrance)

LEGISLATIVE DEPARTMENT.

THE COMMITTEE ON PUBLIC WORKS OF
the Board of Aldermen will meet in Room No. 9
City Hall, every Monday at 1 o'clock P. M.

THOMAS SHELLS,
THOMAS CARROLL,
GEORGE HALL,
JOSEPH C. PINCKNEY,
BERNARD BIGLIN,
Committee on Public Works